

UNITED STATES DISTRICT COURT
for the
Southern District of Ohio

United States of America

)

v.

)

Miguel LARA

)

A098 231 319

)

)

)

)

Case No.

2:18-mj-722

*Defendant(s)***CRIMINAL COMPLAINT**

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of 09/19/2018 in the county of Franklin in the
Southern District of Ohio, the defendant(s) violated:

Code Section

8 USC 1326(a) & (b)(1)

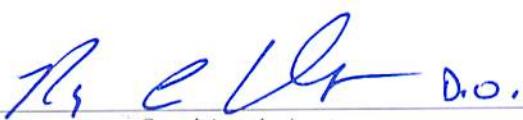
Offense Description

being an alien, that is, a citizen of Mexico who was ordered deported and removed from the United States on or about 06/20/2006 following two felony convictions for Possession of Cocaine on 11/23/2004 in violation of Title 21 USC 841(a) and (b)(1)(A)(i) was found on 09/19/2018 in Franklin County, Ohio, without, prior to his re-entry and at a place outside the United States, obtaining the consent of the Attorney General or the Secretary of the Department of Homeland Security to re-apply for admission to the United States,

This criminal complaint is based on these facts:

see attached affidavit

Continued on the attached sheet.



Complainant's signature

Ryan E. Hect, DO
Printed name and title



Elizabeth Preston-Deavers, US Magistrate Judge
Printed name and title

Sworn to before me and signed in my presence.

Date: 09/24/2018

City and state: Columbus, OH

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO**

IN THE MATTER OF THE CRIMINAL)
COMPLAINT OF:)
MIGUEL LARA) Case No.
)
)

**AFFIDAVIT OF RYAN L. HECT IN
SUPPORT OF CRIMINAL COMPLAINT**

I, United States Immigration and Customs Enforcement (ICE) Deportation Officer, Ryan L. Hect, being first duly sworn, depose and state as follows:

1. I am a Deportation Officer with more than ten years of experience as an Immigration Agent with the United States Immigration and Customs Enforcement (ICE). I am assigned to the Columbus, Ohio Office of Enforcement and Removals. I have investigated both criminal and administrative matters involving aliens in the United States. I have successfully completed the Immigration Enforcement Agent course at the Federal Law Enforcement Training Center (FLETC) at Glynco, GA.
2. During the course of investigating Miguel LARA, I have learned the following facts:
3. Miguel LARA is a citizen of Mexico and not a citizen of the United States.
4. On or about November 23, 2004, Miguel LARA was convicted in the Franklin County Court of Common Pleas for two felony counts of Possession of Cocaine. LARA was sentenced to 6 months in the Ohio Department of Rehabilitation and Corrections.
5. On or about April 26, 2006, Miguel LARA was ordered removed by the Acting Resident in Charge via an Administrative Removal Order I851/A in Columbus, OH. Miguel LARA was physically removed on this order on or about June 20, 2006 at the Brownsville, TX Port of Entry. On that day Miguel LARA surrendered his fingerprint and photo for Immigration form I-205 (Warrant of Removal/Deportation) and signed the same form. Miguel LARA's departure was witnessed by an Immigration Officer who documented the departure by way of signature on Immigration form I-205.
6. On or about April 28, 2014, LARA was encountered by Immigration officials in Mission, TX. LARA's prior order of removal from April 2006 was then reinstated. On April 29, 2014, LARA was removed from the United States at the Hidalgo, TX Port of Entry.
7. On September 19, 2018, Miguel LARA was encountered by ICE officials in Columbus, OH. It was determined after a verification of fingerprints that Miguel LARA had previously been ordered removed from the United States and that Miguel LARA is subject to prosecution for illegal re-entry, being found in the United States after being barred for life.

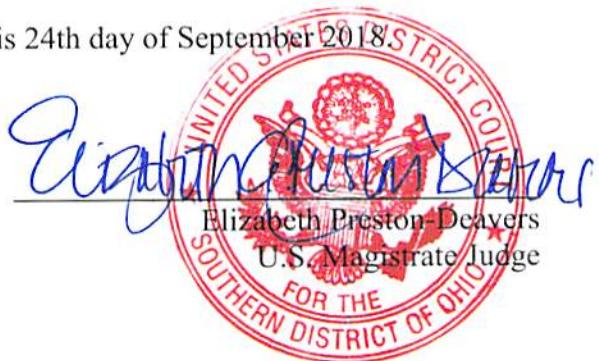
8. Biometric and records checks confirmed that Miguel LARA did not receive permission from the Attorney General of the United States, or the Secretary of the United States Department of Homeland Security for this re-entry into the United States.

Your Affiant submits that the foregoing facts establish probable cause that Miguel LARA has committed a violation of 8 U.S.C. § 1326(a), and (b)(1), an alien who: (1) subsequent to sustaining a conviction for commission of an felony offense has been denied admission, excluded, deported, or removed, or has departed the U.S. while an order of exclusion, deportation or removal is outstanding; (2) thereafter entered, attempted to enter, or at any time was found in the U.S.; and (3) did not have consent from the Attorney General to reapply for admission to the U.S. prior to either his re-embarkation at a place outside the U.S. or his application for admission from a foreign contiguous territory.



Ryan L. Hect
Deportation Officer
Immigration and Customs Enforcement

Sworn before me and subscribed in my presence on this 24th day of September 2018.



Elizabeth Preston-Deavers
U.S. Magistrate Judge